

Exhibit 2

August 16, 2005, 8:26 a.m.

Unintelligent Design

Hostility toward religious believers at the nation's museum.

By David Klinghoffer

The Smithsonian Institution is a national treasure of which every American can legitimately feel a sense of personal ownership. Considering this, I'd imagine widespread displeasure as more Americans become aware that senior scientists at the publicly funded Smithsonian's National Museum of Natural History have reportedly been creating a "hostile work environment" for one of their colleagues merely because he published a controversial idea in a biology journal.

The controversial idea is Intelligent Design, the scientific critique of neo-Darwinism. The persecuted Smithsonian scientist is Richard von Sternberg, the holder of two PhDs in biology (one in theoretical biology, the other in molecular evolution). While the Smithsonian disputes the case, Sternberg's version has so far been substantiated in an investigation by the U.S. Office of Special Counsel (OSC), an independent federal agency.

A lengthy and detailed letter from OSC attorney James McVay, dated August 5, 2005, and addressed to Sternberg, summarizes the government's findings, based largely on e-mail traffic among top Smithsonian scientists. A particularly damning passage in the OSC letter reads:

Our preliminary investigation indicates that retaliation [against Sternberg by his colleagues] came in many forms. It came in the form of attempts to change your working conditions...During the process you were personally investigated and your professional competence was attacked. Misinformation was disseminated throughout the SI [Smithsonian Institution] and to outside sources. The allegations against you were later determined to be false. It is also clear that a hostile work environment was created with the ultimate goal of forcing you out of the SI.

Meanwhile, on the basis of the "misinformation" directed against him, Sternberg's career prospects were being ruined.

Offensive Proceedings

What exactly was his offense? Some background is in order. In a January *Wall Street Journal* op-ed, I reported the story of how Sternberg, a *Smithsonian* research associate, suffered as a result of his editing a technical peer-reviewed biology journal, *The Proceedings of the Biological Society of Washington*.

The journal is housed at the Smithsonian, though it's nominally independent. For his part, formally, Sternberg is employed by the National Institute of Health, though his agreement with his employer stipulates that he may spend 50 percent of his time working at the Smithsonian. So when the August 2004 issue of the *Proceedings* appeared, under Sternberg's editorship, Sternberg's managers at the Smithsonian took a keen interest in a particular article — the first paper laying out the evidence for ID to be published in a peer-reviewed technical journal.

The article was "The Origin of Biological Information and the Higher Taxonomic Categories," by Stephen Meyer, a Cambridge University PhD in the philosophy of biology. He's currently a

senior fellow at Seattle's Discovery Institute. In the essay, Meyer reviewed the work of scientists around the world — at places like Oxford, Cambridge, Yale, and the University of Chicago — who have cast doubt on whether Darwinian evolution can explain the sudden infusion of genetic "information" and the resulting explosion of between 19 and 34 new animal phyla (body plans) about 530 million years ago — the Cambrian Explosion. Meyer argued that perhaps an unidentified designing intelligence played a role in the event.

No Way to Treat a "Respected Scientist"

However strong you think the argument is for Intelligent Design — and I'm no scientist — most reasonable people would agree that an ID theoretician should, without fear of retaliation, be allowed to state his case for the consideration of fellow scientists. This was the view held by Sternberg, who isn't himself an advocate of ID. However, according to the OSC's investigation, when the Meyer article was published, Sternberg's managers were outraged and a number of them sought a strategy that would make him pay.

Writes the OSC's McVay: "Within two weeks of receiving the Meyer article in the *Proceedings*, four managers at the SI and NMNH [National Museum of Natural History] expressed their desire to have your access to the SI denied." A typical internal e-mail on the subject fumed, "I hope we are not even considering extending his access to space." (All quotations from e-mails given here are taken from the OSC's letter to Sternberg.) Another expresses frustration that a good pretext for dismissing him had so far not been identified: "As he hasn't (yet) been discovered to have done anything wrong,... the sole reason to terminate his appt seems to be that the host unit has suddenly changed its mind. If that's OK w/NMNH, let me know and I'll send him a letter stating so." One manager huffed, "Well, if you ask me, a face-to-face meeting or at least a 'you are welcome to leave or resign' call with this individual is in order." The same e-mail indicated that a manager had been compiling trivial offenses by Sternberg that could be cited in telling him to get out. Among other things, the Smithsonian staffer had gone over Sternberg's library records. He "has currently 50 books checked out from the SI library (I checked this with the library)."

One bright idea was to tear apart the traditional veil of secrecy concerning the identities of the scientists ("peers") who had reviewed and approved Meyer's article before publication. The "serious effort" to do this, as the OSC document relates, would represent

an unprecedented and unethical act within your [Sternberg's] field. They also assumed that you [Sternberg] violated editorial regulations of the *Proceedings* because you were the primary editor of the article. These comments were made to and by SI and NMNH managers and were published to several outside organizations. It was later revealed that you complied with all editorial requirements of the *Proceedings* and that the Meyer article was properly peer reviewed by renowned scientists. As an aside, the information received by OSC does not indicate that any effort was made to recall or correct these comments once the truth was made known.

One disturbing element in the affair concerns Sternberg's allegations that his supervisor, Zoology Department chairman Jonathan Coddington, called around the museum to check out Sternberg's religious and political affiliations. After I wrote about this in *Wall Street Journal*, Coddington, who had repeatedly ignored my telephone calls asking for his side of the story, responded on a favorite website of Darwinists.

Coddington wrote: "As for prejudice on the basis of beliefs or opinions, I repeated and consistently emphasized to staff...that private beliefs and/or controversial editorial decisions were irrelevant in the workplace...that [Sternberg] was an established and respected scientist, and that he would at all times be treated as such."

The OSC investigation directly contradicts this: "...at the same time many other actions were taken during the uproar over the Meyer article, your [Sternberg's] supervisor was questioning your friends about your personal political and religious background."

The investigation also contradicts Coddington's assertion that no actions were ever taken against Sternberg: "At no time did anyone deny him [research] space, keys, or access." According to the OSC, "they denied your access by taking your master key." The museum "prevented you from having the same access to the research specimens," access "given to others [who] do not have the same hindrances."

No Culture of Truth

Whether, in the end, Sternberg's legal rights were violated remains unclear. Owing to what the OSC's McVay describes as a "complicated jurisdictional puzzle," it turns out that because Sternberg is employed by the National Institute of Health he is "effectively removed[d]..from the protections granted under the auspices of OSC." So the OSC investigation is being closed.

Whether or not Sternberg's Smithsonian managers broke the law, the OSC's preliminary investigation certainly opens a window on the culture of the Smithsonian, a venerated institution where the unfettered search for truth is supposed to be the rule, and where, one also hopes, the people who fund that search would be respected.

And yet, quite apart from Sternberg's treatment, the e-mail traffic at the Smithsonian gives ample evidence not of respect for ordinary Americans but of contempt, especially if those Americans are religious believers. One senior SI staffer commented ruefully about the Meyer article in an e-mail quoted in the OCS document: "We are evolutionary biologists, and I am sorry to see us made into the laughing stock of the world [by publishing Meyer's article criticizing Darwinian theory], even if this kind of rubbish [that is, Intelligent Design] sells well in backwoods USA." One e-mail generously granted, "Scientists have been perfectly willing to let these people alone in their churches." Another from a scientist at the museum told of how, after "spending 4.5 years in the Bible Belt," the writer had learned how to deal with religious Christians. For example, he described the "fun we had" when "my son refused to say the Pledge of Allegiance because of the 'under dog' [meaning presumably the 'under God'] part."

The Smithsonian is indeed a treasure, beloved by millions of Americans who visit it from across the country. How sad that some of the scientists who work there feel this way about the people who pay their salaries. Whether that observation is more or less troubling than the way the same scientists apparently feel about the search for truth is a question every taxpayer will have to decide for himself.

— David Klinghoffer, a former *NR* literary editor, is a columnist for the *Jewish Forward*. His most recent book is *Why the Jews Rejected Jesus: The Turning Point in Western History*. His website is www.davidklinghoffer.com.